

Judge Robert S. Lasnik

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff

v.

YOBANI MEDINA-PEREZ,  
aka, Jesus Jovany Rojas-Corrales,

Defendants,

and

WENDY B. FERNANDEZ-JIMENEZ,  
Third-Party Petitioner.

NO. CR13-0050RSL

**FINAL ORDER OF FORFEITURE**

THIS MATTER comes before the Court following the May 15, 2014 ancillary hearing in the above-captioned case between Plaintiff United States of America ("United States") via the undersigned counsel of record and Third-Party Petitioner Wendy B. Fernandez-Jimenez ("Claimant") to settle their respective interests in the following property (hereinafter collectively referred to as the "Subject Properties"):

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- 1 1. \$11,533.00 in United States currency; and
- 2 2. One (1) 2007 Dodge Charger bearing VIN #2B3KA43R37H821401 and
- 3 Washington License No. AGC9003; and
- 4 3. One (1) 2002 GMC Yukon bearing VIN #1GKEK13Z82J141030 and
- 5 Washington License No. B89075H.

6 Having considered the testimony, exhibits, and arguments of the parties regarding  
7 the Subject Properties, and based upon the Court's review of the Court file, including the  
8 Preliminary Order of Forfeiture, the Court finds as follows:

9 On October 25, 2013, this Court entered a Preliminary Order of Forfeiture herein  
10 (*see* Docket No. 313), ordering the preliminary forfeiture of the Subject Properties to the  
11 United States pursuant to the Plea Agreement and guilty plea of Defendant YOBANI  
12 MEDINA-PEREZ (a.k.a., "Jesus Jovany Rojas-Corrales") (hereinafter, "Defendant") to  
13 *Conspiracy to Distribute Cocaine*, as charged in Count 1 of the Indictment, in violation  
14 of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A) and 846.

15 On December 23, 2013, the United States provided notice via certified mail to any  
16 known interested parties.

17 On December 30, 2013, Claimant filed the *Petition of Wendy B. Fernandez-*  
18 *Jimenez to Adjudicate Interest in Property Pursuant to 21 U.S.C. § 853.* (*See* Docket No.  
19 331.) No other petitioners or claimants have come forth to assert an interest in the  
20 forfeited property.

21 Pursuant to 21 U.S.C. § 853(n), the United States published notice of the Subject  
22 Properties on [www.forfeiture.gov](http://www.forfeiture.gov), for at least thirty (30) consecutive days, beginning on  
23 October 30, 2013 and ending on November 28, 2013. In the publication, the United  
24 States published notice of the Preliminary Order of Forfeiture and the intent of the United  
25 States to dispose of the Subject Properties in accordance with the law. This notice further  
26 stated that any person, other than the Defendant, having or claiming a legal interest in the  
27 Subject Properties was required to file a petition with the Court within sixty (60) days of  
28

1 the first date of publication of notice, setting forth the nature of the petitioner's right, title,  
2 and interest in the Subject Properties.

3 All persons and entities believed to have an interest in the above-listed Subject  
4 Properties that are subject to forfeiture were given proper notice of the intended  
5 forfeiture. No further petitioners or claimants have come forth to assert an interest in the  
6 Subject Properties and the time for doing so has expired, it is NOW THEREFORE,

7 ORDERED, ADJUDGED, and DECREED that the following property shall be  
8 returned to the Claimant because she has established by a preponderance of the evidence  
9 that Claimant's interest in the property was valid and superior to that of Defendant  
10 pursuant to 21 U.S.C. § 853(n)(6):

- 11 • One (1) 2002 GMC Yukon bearing VIN #1GKEK13Z82J141030 and  
12 Washington License No. B89075H.

13 IT IS FURTHER ORDERED, ADJUDGED, and DECREED that the following  
14 property is fully and finally condemned and forfeited to the United States in their entirety  
15 because they constitute property that the Government alleged in its Indictment was  
16 subject to forfeiture pursuant to 21 U.S.C. § 853 for violations of 21 U.S.C. §§ 841(a)(1),  
17 841(b)(1)(A) and 846:

- 18 1. \$11,533.00 in United States currency; and
- 19 2. One (1) 2007 Dodge Charger bearing VIN #2B3KA43R37H821401 and  
20 Washington License No. AGC9003.

21 (hereinafter, collectively, the "Forfeited Properties").

22 IT IS FURTHER ORDERED, ADJUDGED and DECREED no right, title, or  
23 interest in the Forfeited Properties shall exist in any other party.

24 The United States Marshals Service is authorized to dispose of the Forfeited  
25 Properties in accordance with the law.



The Clerk of the Court is hereby directed to send a copy of this Final Order of Forfeiture to all counsel of record, and to the *pro se* Claimant at the address listed below, and to send three (3) "raised seal" certified copies to the United States Attorney's Office in Seattle, Washington.

DATED this 15<sup>th</sup> day of May, 2014.




ROBERT S. LASNIK  
UNITED STATES DISTRICT JUDGE

Presented by:

 5-15-14  
MATTHEW H. THOMAS

Assistant United States Attorney  
United States Attorney's Office  
1201 Pacific Avenue, Suite 700  
Tacoma, Washington 98402-4383  
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WENDY B. FERNANDEZ-JIMENEZ  
Third-Party Petitioner/Claimant  
500 Monroe Avenue NE  
Apt. FI-3  
Renton, Washington 98056

I hereby certify that I am a federally and state certified translator and on this 15 day of May, 2014, I translated this Final Order of Forfeiture into Spanish for Third-Party Petitioner/Claimant Wendy B. Fernandez-Jimenez before the signed above.

DATED: 5-15-14

  
GRISELA A. RUIZ

Translator (Spanish < - > English)  
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